

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

FILED

SEP 15 2011

CLERK, U.S. DISTRICT COURT
By _____ Deputy *Elois*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

VINCENT B. FRIEMEL,

Petitioner,

v.

2:10-CV-0282

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION,
GRANTING RESPONDENT'S MOTION TO DISMISS and
DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On February 14, 2011, respondent filed a motion to dismiss petitioner's application as time barred. On August 19, 2011, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that respondent's motion be granted and the habeas application be dismissed.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, respondent's motion to dismiss is GRANTED, and the petition for a writ of habeas corpus is hereby DISMISSED.

IT IS SO ORDERED.

ENTERED this 15th day of September 2011.

Mary Lou Robinson
MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE